

United States District Court
Southern District of New York

UNITED STATES OF AMERICA

- against -

ANTONIO JIMENEZ,

Defendant.

04 Cr. 329 (JGK)

MEMORANDUM OPINION AND
ORDER

JOHN G. KOELTL, District Judge:

The defendant moves for an early termination of supervised release. The defendant's three-year term of supervised release will terminate in April 2012, but the defendant seeks an earlier termination. The Government opposes the application.

It is undisputed that the defendant has complied with the conditions of his supervised release and that the Probation Department has placed the defendant under low-intensity supervision.

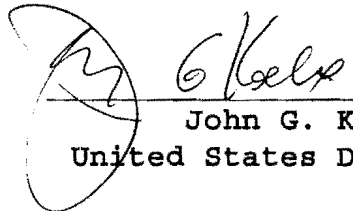
The defendant has failed to show that there are any exceptional circumstances that would warrant the early termination of supervised release. It is expected that those on supervised release will comply with the conditions of supervised release, and there is nothing so exceptional about the defendant's compliance that would warrant a variance from the sentence initially imposed by the Court.

The defendant expresses a desire to visit his ailing mother in the Dominican Republic. The defendant should seek permission from his probation officer. If that request were denied, the defendant could bring the issue to the attention of the Court. The defendant also asserts that his status prevents him from obtaining a taxi license, but the probation officer and the Government are unaware of such a restriction and there is no evidence that terminating supervised release would change the defendant's ability to obtain a taxi license.

Therefore, the defendant's application for an early termination of supervised release is denied.

SO ORDERED.

Dated: New York, New York
March 23, 2011



John G. Koeltl
United States District Judge